

SB1736



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1736

Introduced 2/19/2009, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

110 ILCS 330/8 new
210 ILCS 85/6.25 new
30 ILCS 805/8.33 new

Amends the University of Illinois Hospital Act and the Hospital Licensing Act. Requires a hospital to adopt an influenza and pneumococcal immunization policy that contains certain features. Requires a hospital to file a copy of the policy with the Department of Public Health. Restricts the exercise of home rule powers. Amends the State Mandates Act to require implementation without reimbursement by the State. Effective immediately.

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FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The University of Illinois Hospital Act is
5 amended by adding Section 8 as follows:

6 (110 ILCS 330/8 new)

7 Sec. 8. Immunization against influenza virus and
8 pneumococcal disease. The University of Illinois Hospital
9 shall adopt an influenza and pneumococcal immunization policy
10 that includes, but need not be limited to, the following:

11 (1) Procedures for identifying patients age 65 or older
12 and, at the discretion of the facility, other patients at
13 risk.

14 (2) Procedures for offering immunization against
15 influenza virus between September 1 and April 1, and
16 against pneumococcal disease upon admission or discharge,
17 to patients age 65 or older.

18 (3) Procedures for ensuring that patients offered
19 immunization, or their guardians, receive information
20 regarding the risks and benefits of vaccination.

21 (4) A standing order policy approved by the medical
22 director or other appropriate physician that includes, but
23 need not be limited to, an assessment for

1 contra-indications.

2 (5) A system for documenting vaccine administration,
3 medical contra-indications, patient refusals, and any
4 post-vaccination adverse events.

5 The hospital shall file a copy of its influenza and
6 pneumococcal immunization policy with the Illinois Department
7 of Public Health.

8 Section 10. The Hospital Licensing Act is amended by adding
9 Section 6.25 as follows:

10 (210 ILCS 85/6.25 new)

11 Sec. 6.25. Immunization against influenza virus and
12 pneumococcal disease.

13 (a) Every hospital shall adopt an influenza and
14 pneumococcal immunization policy that includes, but need not be
15 limited to, the following:

16 (1) Procedures for identifying patients age 65 or older
17 and, at the discretion of the facility, other patients at
18 risk.

19 (2) Procedures for offering immunization against
20 influenza virus between September 1 and April 1, and
21 against pneumococcal disease upon admission or discharge,
22 to patients age 65 or older.

23 (3) Procedures for ensuring that patients offered
24 immunization, or their guardians, receive information

1 regarding the risks and benefits of vaccination.

2 (4) A standing order policy approved by the medical
3 director or other appropriate physician that includes, but
4 need not be limited to, an assessment for
5 contra-indications.

6 (5) A system for documenting vaccine administration,
7 medical contra-indications, patient refusals, and any
8 post-vaccination adverse events.

9 The hospital shall file a copy of its influenza and
10 pneumococcal immunization policy with the Department.

11 (b) A home rule unit may not regulate immunization against
12 influenza virus and pneumococcal disease in a manner
13 inconsistent with the regulation of such immunizations under
14 this Section. This subsection is a limitation under subsection
15 (i) of Section 6 of Article VII of the Illinois Constitution on
16 the concurrent exercise by home rule units of powers and
17 functions exercised by the State.

18 Section 90. The State Mandates Act is amended by adding
19 Section 8.33 as follows:

20 (30 ILCS 805/8.33 new)

21 Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8
22 of this Act, no reimbursement by the State is required for the
23 implementation of any mandate created by this amendatory Act of
24 the 96th General Assembly.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.